

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OUR WICKED LADY, LLC (d/b/a “Our Wicked Lady”) *et al.*

Plaintiffs,

-against-

**DECLARATION OF
SAMANTHA SCHONFELD**

1:21-cv-165 (DLC)

ANDREW M. CUOMO, in his official capacity as Governor
of the State of New York; THE STATE OF NEW YORK;
MAYOR BILL de BLASIO in his official capacity as Mayor
of New York City; and THE CITY OF NEW YORK,

Defendants.

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SAMANTHA M. SCHONFELD declares pursuant to 28 U.S.C. § 1746, under
penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of James E. Johnson,
Corporation Counsel of the City of New York, attorney for Defendants Mayor Bill de Blasio in
his official capacity as Mayor of New York City and the City of New York (“City Defendants”).
As such, I am familiar with the facts stated below and submit this declaration to place on the
record relevant documents in support of City Defendants’ Memorandum of Law in Opposition to
Plaintiffs’ Motion for an Order for a Preliminary Injunction.

2. Attached as Exhibit “A” are true and correct copies of New York State
Executive Order No. 202 entitled “Declaring a Disaster Emergency in the State of New York,”
signed by Governor Andrew M. Cuomo on March 7, 2020; *also available at*
<https://www.governor.ny.gov/news/no-202-declaring-disaster-emergency-state-new-york> (last
visited February 23, 2021) and New York City Emergency Executive Order No. 98 entitled

“Declaration of Local State of Emergency,” signed by Mayor Bill de Blasio on March 12, 2020; *also available at* <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eeo-98.pdf> (last visited February 23, 2021).

3. Attached as Exhibit “B” is a true and correct copy of New York State Executive Order No. 202.3 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on March 16, 2020; *also available at* <https://www.governor.ny.gov/news/no-2023-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

4. Attached as Exhibit “C” is a true and correct copy of New York State Executive Order No. 202.5 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on March 18, 2020; *also available at* <https://www.governor.ny.gov/news/no-2025-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

5. Attached as Exhibit “D” is a true and correct copy of New York State Executive Order No. 202.6 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on March 18, 2020; *also available at* <https://www.governor.ny.gov/news/no-2026-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

6. Attached as Exhibit “E” is a true and correct copy of New York State Executive Order No. 202.41 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on June 13, 2020; *also available at* <https://www.governor.ny.gov/news/no-20241-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

7. Attached as Exhibit “F” is a true and correct copy of New York State Executive Order No. 202.48 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency” signed by Governor Andrew M. Cuomo on July 6, 2020; *also available at* <https://www.governor.ny.gov/news/no-20248-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

8. Attached as Exhibit “G” are true and correct copies of New York State Executive Order No. 202.61 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on September 9, 2020; *also available at* <https://www.governor.ny.gov/news/no-20261-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021), and New York City Emergency Executive Order No. 150 entitled “Emergency Executive Order No. 150,” signed by Mayor Bill de Blasio on September 30, 2020; *also available at* <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eo-150.pdf> (last visited February 23, 2021).

9. Attached as Exhibit “H” is a true and correct copy of New York State Executive Order No. 202.81 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on December 11, 2020; *also available at* <https://www.governor.ny.gov/news/no-20281-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

10. Attached as Exhibit “I” is a true and correct copy of New York State Executive Order No. 202.93 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on February

11, 2021; *also available at* <https://www.governor.ny.gov/news/no-20293-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021).

11. Attached as Exhibit “J” are true and correct copies of New York State Executive Order No. 202.57 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on August 20, 2020; *also available at* <https://www.governor.ny.gov/news/no-20257-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (last visited February 23, 2021) and New York City Emergency Executive Order No. 144 entitled “Emergency Executive Order No. 144,” signed by Mayor Bill de Blasio on August 31, 2020; *also available at* <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eeo-144.pdf> (last visited February 23, 2021).

Dated: New York, New York
February 23, 2021

/s/
Samantha Schonfeld
Assistant Corporation Counsel